IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 184 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PUNABHAI MATHURBHAI MACWANA

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner

MR SUDHANSHU PATEL for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/03/2001

ORAL JUDGEMENT

#. Rule. Mr.Sudhanshu Patel waives service of Rule on behalf of respondents.

#. Having heard the learned counsel for the respondents and in view of the fact that admittedly, a copy of the

adverse police report against the petitioner has not been given to the petitioner, only on this short ground, this petition succeeds and the same is allowed and the order dated 5.2.2001 is quashed and set aside. The respondent No.3 is directed to decide the application of the petitioner for furlough after giving a copy of the adverse police report to the petitioner and calling his objections against it and in case his objections are filed, after considering the same, within a period of one month from the date of receipt of writ of this order. Rule is made absolute accordingly.

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(sunil)